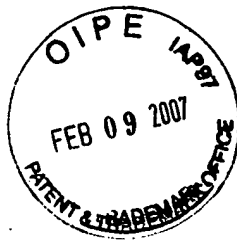


Docket No.: 213630US3X PCT



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 09/926,146

Applicants: Hisayoshi ITO, et al.

Filed: October 10, 2001

For: AGITATION TANK FOR STORING YEAST SOLUTION,
METHOD OF PRODUCING FERMENTED FOODS SUCH
AS BEER USING THE AGITATION TANK, AND
AGITATING VANES PROVIDED IN THE AGITATION
TANK

Group Art Unit: 1761

Examiner: CORBIN, A. L.

ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

CHRISTOPHER D. WARD
SENIOR ASSOCIATE
(703) 413-3000
CWARD@OBLON.COM

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier

Registration No. 25,599

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Christopher D. Ward

Registration No. 41,367



DOCKET NO: 213630US3X PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :

Hisayoshi ITO, et al. : EXAMINER: CORBIN, A. L.

SERIAL NO.: 09/926,146 :

FILED: October 10, 2001 : GROUP ART UNIT: 1761

FOR: AGITATION TANK FOR :
STORING YEAST SOLUTION,
METHOD OF PRODUCING
FERMENTED FOODS SUCH
AS BEER USING THE
AGITATION TANK, AND
AGITATING VANES
PROVIDED IN THE
AGITATION TANK

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Restriction Requirement dated January 10, 2007, the Applicants elect the invention of Group I corresponding to Claims 1-3, 9, 16, 18, 20-22, and 26-28.

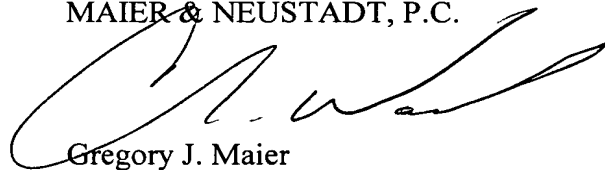
The Applicants note that claims directed to both groups of inventions have been previously searched and considered, and therefore further search and examination of both groups would not place a *serious* burden on the examiner. (See MPEP § 803.)

Application Serial No.: 09/926,146
Hisayoshi ITO, et al.

Therefore, it is respectfully requested that the requirement to elect a single invention be withdrawn, and that a full examination on the merits of Claims 1-7, 9-13, and 16-31 be conducted.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Attorney of Record

Christopher D. Ward
Registration No. 41,367

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)

GJM:CDW:brf

I:\atty\cdw\21xxxx\213630US3X PCT\Response to Restriction Requirement.doc